

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CARL KILLEBREW,

Plaintiff,

v.

TOPBUILD, INC.; AMERICAN
NATIONAL INSULATION, INC.;
COAST INSULATION; and DOES
1 through 10,

Defendants.

Case No. 5:23-CV-02427-MRA-AS

JUDGMENT

Judge: Monica Ramirez Almadani

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

This action came on for hearing before the Court, on November 25, 2024, the Honorable Monica Ramirez Almadani, District Judge Presiding, on Defendant American National Insulation, Inc.'s Motion for Summary Judgment (Dkt. No. 37), and the evidence presented having been fully considered, the issues having been duly heard and a decision having been duly rendered (Dkt. No. 83),

IT IS ORDERED, ADJUDGED, AND DECREED:

That judgment be, and hereby is, entered in favor of Defendant American National Insulation, Inc. and against Plaintiff Carl Killebrew;

1 That Defendants TopBuild, Inc. and Coast Insulation are dismissed from this
2 action with prejudice (*see* Dkt. Nos. 77 and 83 at footnote 8);¹

3 That American National Insulation, Inc. should be allowed to recover its costs
4 as the prevailing party to the extent permitted by law and Federal Rule of Civil
5 Procedure 54(d)(1); and

6 That any motion for attorney's fees and related nontaxable expenses must be
7 made by motion pursuant to Federal Rule of Civil Procedure 54(d)(2).

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9 **IT IS SO ORDERED.**

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11 Dated: September 23, 2025


HON. MONICA RAMIREZ ALMADANI
UNITED STATES DISTRICT JUDGE

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26 ¹ Defendant American National Insulation, Inc. was erroneously sued as American
27 National Insulation in the state court action. On December 4, 2023, Defendant filed
28 a correction of name to reflect Defendant is American National Insulation, Inc. rather
than American National Insulation (Dkt. No. 9). Topbuild, Inc. and Coast Insulation
are not legal entities and were not served.